

**27123**

↑CUSTOMER NUMBER↑

Confirmation No.: 2256

Date of Notice of Allowance: December 11, 2006

Serial No.: 10/021,698

Attorney Docket No.: 2976-4044US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Tim KEITH, et al.

Serial No.: 10/021,698

Filed: October 22, 2001

Confirmation No.: 2256

Group Art Unit: 1636

Examiner: Daniel M. Sullivan

For: NUCLEOTIDE AND AMINO ACID SEQUENCES RELATING TO RESPIRATORY DISEASES AND OBESITY

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ISSUE FEE TRANSMITTAL LETTER**

Sir:

In response to the Notice of Allowability mailed December 11, 2006, Applicants submit herewith the Issue Fee Transmittal Form (Form PTOL-85). The Commissioner is hereby authorized to charge (\$1,415) to cover the Issue Fee (\$1,400) and an advance order of 5 copies of the patent (\$15) to Deposit Account No. 13-4500, Order No. 2976-4044US1.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over payment, to Deposit Account No. 13-4500, Order No. 2976-4044US1.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: March 9, 2007

By: 

Evelyn M. Kwon  
Registration No. 54,246

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## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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27123 7590 12/11/2006

MORGAN & FINNEGAN, L.L.P.  
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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Evelyn M. Kwon (By EFS)	(Depositor's name)
	(Signature)
March 9, 2007	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,698	10/22/2001	Tim Keith	2976-4044US1	2256

TITLE OF INVENTION: NUCLEOTIDE AND AMINO ACID SEQUENCES RELATING TO RESPIRATORY DISEASES AND OBESITY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$0	\$1400	03/12/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
SULLIVAN, DANIEL M	1636	435-325000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.  
 1 Morgan & Finnegan, LLP  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

OSCIENT PHARMACEUTICALS CORPORATION

WALTHAM, MASSACHUSETTS

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee  
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(Order No. 2976-4044US1).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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Authorized Signature 

Date March 9, 2007

Typed or printed name Evelyn M. Kwon

Registration No. 54,246

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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